IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 19170 of 2004

Between:

Muni Reddy, S/o. subba Reddy
aged about 54 years, Senior Assistant,

E.No.74700, R/o. Kadapa.

..... PETITIONER

AND

1 A.P.S.R.T.C., rep. by its Managing Director, Musheerabad,d Hyd.
2 The Executive Director,APSRTC, Kadapa & Nellore Zone,
Mahatma Gandhi Bus Station, Hyderabad.
3 The Dy. Chief Personnel Manager, APSRTC, Kadapa.
4 The Works Manager, APSRTC, Zonal Woorkshop, Kadapa.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Call for the records from the respondents and issue an appropriate writ, Order or direction, more particularly one in the nature of writ of Mandamus declaring that the inaction of the respondents in not granting the increments from the date of initial appointment i.e., 6.12.1977, not granting revision of pay scales and consequential benefits on special grade as illegal, unjust, contrary to law, arbitrary, discrimination and amounts to unfair labour practice and also violative of Articles 14, 16 and 21 of the Constitution of India, and grant all consequential benefits.

Counsel for the Petitioner: MR.A.K.JAYAPRAKASH RAO

Counsel for the Respondents: MR.P.V.SWAMY

The Court made the following:

ORDER:

The petitioner is contending that he was initially appointed in the respondent Corporation on 06.12.1977 and he worked continuously till 03.03.1979, the date on which he was terminated from service. He further contends that as per the Order of this Court dated 31.01.1997 in W.P.No.18406 of 1995, his service is entitled to be counted from 06.12.1977, and that the Writ Appeal covered by W.A.No.1142 of 1997, preferred by the Corporation, against the Order of this Court in W.P.No.18406 of 1995, was also dismissed on 06.03.2002, and consequently the petitioner was promoted as Senior Assistant with effect from 07.11.1995, without extending him the consequential benefits by counting his service from 06.12.1977. He further contends that subsequent to the dismissal of the Writ Appeal, he made a representation to the respondents on 13.05.2002, but the respondents have not passed any orders, protecting his seniority with consequential benefits from the date of his initial appointment on 06.12.1977.

2. In the light of the submissions made by the petitioner, the respondents are directed to consider the representation of the petitioner dated 13.05.2002, in pursuance of the Order of this Court in W.P.No.18406 of 1995 and Judgment in W.A.No.1142 of 1997, and pass appropriate orders, regarding the request of the petitioner for protection of his seniority and for consequential benefits from the date of his initial appointment on 06.12.1977, within a period of 2 (two) months from the date of receipt of a copy of this Order.

3. The Writ Petition is, accordingly, disposed of. No order as to costs.

dsr

ASSISTANT REGISTRAR

To:

1. The Managing Director, APSRTC,

Musheerabad, Hyderabad-20

2. The Executive Director, APSRTC,

Kadapa & Nellore Zone,

Mahatma Gandhi Bus Station, Hyderabad

3. The Deputy Chief Personnel Manager,

APSRTC, Kadapa

4. The Works Manager, APSRTC,

Zonal Workshop, Kadapa

5. Two CD copies.